

**REMARKS**

Claims 1-5 are pending in the application.

Claims 1, 2 and 4 stand rejected under 35 USC § 102(b) as being anticipated by Keller, U.S. Patent 5,816,575. Claims 1 and 4 stand rejected under 35 USC § 102(b) as being anticipated by Koelling, U.S. Patent 6,158,741.

Claims 2, 3, and 5 stand rejected under 35 USC § 103 as being unpatentable over Koelling.

Applicant respectfully traverses these rejections for the reasons stated below.

The rejections based upon Keller

In order to establish a proper rejection based upon § 102(b), the reference must disclose each and every limitation of the claimed invention. Akzo N.V. v. U.S. International Trade Commission, 1 USPQ 2d 1241, 1245 (CAFC 1986), cert. denied, 482 US 909 (1987). Furthermore, anticipation under 35 USC § 102(b) requires the presence, in a single prior art reference, disclosure of each element, as arranged in the claim under consideration. Lindermann Maschinenfabrik GmbH v. American Hoist & Derrick Co., 221 USPQ 481, 485 (CAFC 1984).

Applicant respectfully submits that the Examiner has failed to meet this burden.

Regarding the Keller reference, Applicant respectfully suggests that in the game of Keller, a side bet is made on the chance that a single card will be dealt, and no determination is made as to whether two dealt cards add for a total of twenty, as

Can get a pair of 10 & 10  
which is 20 + 10 = 30. If 10 & 10 are dealt  
& 10 & 10 are dealt

required by the pending claims. Therefore, Applicant respectfully requests that the rejection over Keller be removed with respect to claims 1, 2, and 4.

The rejections based upon Koelling

Regarding the Koelling reference, Applicant respectfully suggests that the reference does not disclose the limitations as arranged in the pending claims. The Applicant notes that the game of Koelling requires a determination of whether the dealer has an upcard of ten PRIOR to the determination of whether the player's hand totals twenty. If the dealer does not produce an up card of ten, then no bonus is paid to the player, regardless of the player's hand.

Applicant notes that there is no such requirement in claims 1 or 4. The only determination made in claims 1 and 4 is whether the player's hand totals twenty. Applicant respectfully suggests that to re-arrange the game of Koelling to remove the requirement of determining whether the dealer's hand includes an upcard of ten is an improper re-arrangement of Koelling. Therefore, Applicant respectfully requests that the rejection over Koelling be removed with respect to claims 1 and 4.

Regarding claims 2, 3, and 5, Applicant believes these claims are now allowable as being dependent from allowable base claims.

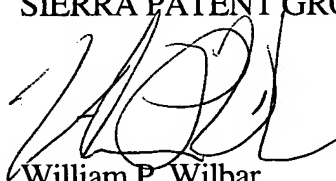
In particular, regarding dependent claims 3 and 5, a further determination is made as to the particular suit of a particular pair of cards dealt to the player, i.e., a pair of queens of the same suit. If this condition is met, then the player's wager is paid. This is paid regardless of the value of the cards dealt to the dealer, in stark contrast to the

requirement of Koelling that the dealer receive an up card of ten prior to making the determination of whether to pay the player's wager.

Therefore, Applicant respectfully requests that the rejection over Koelling be removed with respect to claims 2, 3 and 5.

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Respectfully submitted,  
SIERRA PATENT GROUP, LTD.



William P. Wilbar  
Reg. No.: 43.265

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Sierra Patent Group, Ltd.  
P.O. Box 6149  
Stateline, NV 89449  
(775) 586-9500  
(775) 586-9550 Fax